

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

In re	§	
	§	
PASO DEL NORTE MATERIALS, LLC,	§	Case No. 23-30252-HCM-11
	§	
Debtor.	§	

EMERGENCY MOTION TO COVER PRE-PETITION PAYROLL

TO THE HONORABLE H. CHRISTOPHER MOTT, UNITED STATES BANKRUPTCY JUDGE:

Now comes the Debtor-in-Possession PASO DEL NORTE MATERIALS, LLC (hereinafter "PDNM.") and through their attorney undersigned files this Emergency Motion to Cover Pre-Petition Payroll, and for cause would show:

1.

Petition date in these Subchapter V proceedings is March 15, 2023. Jurisdiction arises under 28 U.S.C. § 1344(a), (b), and (e).

2.

The Debtor employs 25 persons. They are paid at weekly intervals, one week after completing each pay period. For the pre-petition interval March 6-10 and March 13, they are owed for six workdays. The total payroll for the period is approximately \$30,000.00.

3.

If the employees are not paid, there are likely to be defections from the workforce by some unpaid employees. That would bring irreparable harm to PDNM, because it is very hard to replace experienced and capable workers, and replacements tend to be slower, mistake-prone, and more expensive, which will have an adverse impact on the effort to reorganize.

4.

The Debtor is solvent on a balance sheet test. It is expecting substantial payment in the next three days upon major construction jobs, more than sufficient to cover the pre-petition payroll.

5.

All of the workers to be paid are entitled to priority claims for their wages.

6.

All of the Debtors' secured creditors have fixed collateral for their security.

WHEREFORE, PREMISES CONSIDERED, the Debtor prays for permission to cover its pre-petition payroll. Further Debtor prays for all other relief deserved in the circumstances, general of special, and law or equity.

Respectfully submitted this 16th day of March, 2023.



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Attorney for the Debtor-in-Possession

CERTIFICATE OF SERVICE

I do hereby certify that on the 16th day of March, 2023, I did cause a copy of the foregoing Motion to Cover Prepetition Payroll to be mailed to U.S. Trustee, P.O. Box 1539, San Antonio, TX 78205-1539; to El Paso Del Norte, LLC, 8000 Escobar, El Paso, TX 79907; and to and to 20 Largest Unsecured Creditors as shown on the attached list.

/s/ 
E.P. BUD KIRK

4988-MC-031523

20 Largest Unsecured Creditors

American Express
Customer Care & Billing
P.O. Box 981535
El Paso TX 79998

Border International Truck-EP
12283 Rojas
El Paso TX 79936

CAL-Portland
P.O. Box 847409
Los Angeles CA 90084-7409

Century Rentals
955 Loma Verde Rd.
El Paso TX 79936

CHEM Giant Solutions
P.O. Box 290
Anthony NM 88021

Dump Truck & Loader Service Inc.
1645 Bessemer
El Paso TX 79936

Environmental & Safety Solutions
6044 Gateway Blvd. E, Ste. 303
El Paso TX 79905

Fuels, LLC
P.O. Box 150990
Ogden UT 84415

Long Horn Electrical Services, Inc.
2227 Texas Ave.
El Paso TX 79901

Maldonado's Trucking Group, LLC
Arturo Maldonado
1509 Eton Manor
Clint TX 79836

Office of the Attorney General
Environmental Protection Division
P.O. Box 12548 MC-066
Austin TX 78711-2548

Oregon Mainline Paving
P.O. Box 768
McMinnville OR 97128

Prana Machinery
11640 Gateway East Blvd.
El Paso TX 79927

Purvis Industries
P.O. Box 540757
Dallas TX 75354

Reliable Asphalt Products
P.O. Box 519
Shelbyville KY 40066

Sapphire Gas Solutions, LLC
Lockbox/P.O. Box 679262
Dallas TX 75267-9262

Southwest Seal & Supply
P.O. Box 94900
Albuquerque NM 87199

Terracon
6460 Hiller St., Ste. A
El Paso TX 79925

Wagner Equipment Co.
P.O. Box 919000
Denver CO 80291-9000

Western Explosives Systems Co.
6875 South 900 East
Midvale UT 84047